

REMARKS

Pursuant to the requirement to elect a species, applicant elects to prosecute claims directed to the apparatus and in particular to the species shown in Figs. 1, 2, 7, 8 and 14 with the understanding that the term plate as used in the claims encompasses a plate with one or more rings installed in the lower section of the associated openings, as described in the application at page 5, lines 9-12 and the bone screws illustrated in Figs. 10-18. The election is made without traverse. Claim 23 has been amended to conform to the specification where the plate can be located (and attached via the bone screws) adjacent vertebral bodies or attached to one vertebral body and overlies the disc space to stabilize an interbody device. See the specification at page 4, line 29 to page 5, line 3. New claims 29 and 30 have been added to replace the cancelled method claims to broadly cover a buttress plate arranged to be attached to one vertebral body and overhang the disk space to stabilize an interbody device with fixed or variable screws.

Claims 1-26, 29 and 30 are readable on the elected species. If applicants' attorney can be of any further assistance please call the undersigned at the number provided.

Respectfully submitted,

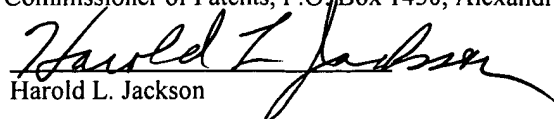
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 11, 2006.

April 11, 2006


Harold L. Jackson